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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,959	01/31/2001	Joe Teixeira	19176.0006	1488
23517 7590 01/05/2007 BINGHAM MCCUTCHEN LLP 3000 K STREET, NW BOX 1P WASHINGTON, DC 20007			EXAMINER HO, CHUONG T	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/05/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/772,959

Applicant(s)

TEIXEIRA, JOE

Examiner

CHUONG T. HO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The amendment filed 11/30/06 have been entered and made of record.
2. Applicant's amendment filed 11/30/06 with the respect to independent claims 1, 13, 25 have been considered but they are moot in view of the new ground (s) of rejection .
3. Claims 1-36 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2-12, 13, 14-24, 25, 26-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Zitting et al. (U.S. Patent No. 6,584,148 B1) in further view of Dunn et al. (U.S. Patent No. 6,072,793).

In the claim 1, the admitted prior art (figure 1 is a block diagram of a prior art telecommunication system implementing xDSL service) discloses providing digital subscriber line service for a first subscriber (figure 1, 104) via a competitive local exchange carrier (figure 1, central office 106) test access switch 110 to a competitive local exchange carrier (figure 1, central office 106) digital subscriber line access multiplexer (figure 1, DSLAM 108) connected to a digital telecommunication network, the test access switch supplying a connection between data processing equipment of

the first subscriber (figure 1, 104) and the digital subscriber line access multiplexer (figure 1, DSLAM 108) and collocation arrangement demarcation (figure 1, terminal block 111), the test-access switch (figure 1, 110) and the collocation arrangement demarcation (figure 1, 111) connected between the digital subscriber line access multiplexer (figure 1, DSLAM 108) and a central office main distributing frame.

However, the admitted prior art is silent to disclosing the test-access switches is cross-connect capability.

Zitting et al. discloses the system and method of the present invention also provide protection switching by cross-connecting communication lines from their existing connection with a DSL access multiplexer (DSLAM) in the central office to an alternative connection with the DSLAM. For instance, if a DSL modem card in the DSLAM fails, the present invention is capable of switching the existing connections with the failed modem card to an alternative modem card. The cross-connect capability also provides a method of changing the type of DSL service provided to a customer (see col. 2, lines 23-30); comprising:

See figure 1, figure 4, providing digital subscriber line server for a first subscriber (see figure 1, customer premises 30) via a CLEC any-to-any cross-connect switch (see figure 1, loop management 26) connected to a CLEC (see col. 1, line 45, CLECs) digital subscriber line access multiplexer (see figure 1, DSLAM 28) connected to digital telecommunication network, the cross connect switch (see figure 1, loop management 26) supply a connection between data processing equipment of the first subscriber

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(customer premises 30) and the digital subscriber line access multiplexer (see figure 1, DSLAM 28) (see col. 9, lines 1-9, lines 44-50);

In response to receiving the indication at the network management system (see figure 1, loop management device 26), transmitting a command (the start test signal) to the cross connect switch (see figure 1, loop management device 26) to switch out the connection of the data processing equipment of first subscriber (customer premises 30) to the digital multiplexer (see col. 9, lines 1-9, lines 44-50); and

In response to receiving the command (see col. 9, lines 1-9, the start test signal) at the cross-connect switch (see figure 1, loop management device 26) , switching out the connection of the data processing equipment of first subscriber (see figure 1, customer premises 30) to the digital access multiplexer (see col. 9, lines 1-9, lines 44-50).

Both the admitted prior art and Zitting are disclose digital subscriber line access multiplexer. Zitting recognizes the cross-connect switch between the digital subscriber line access multiplexer and a central office main distributing frame. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the admitted prior art with the teaching of Zitting to provide the cross-connect switch capability between the digital subscriber line access multiplexer and a central main distributing frame in order to avoid DSL service outages or degradation.

However, the combined system (the admitted prior art – Zitting) are silent to disclosing receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service.

Dunn et al. discloses in response to a request from an operation support system to the controller 10 (network management system), the auxiliary ECMDF establishes a connection between a specified subscriber and specified input to the SLCRT 31; comprising:

receiving at a network management system (see figure 1, controller 10) connected to the cross connect switch (see figure 1, AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5), an indication that the first subscriber has terminated service (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the indication at the network management system (controller 10), transmitting a command to the cross connect switch (see figure 1, AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5) to switch out (to add or remove connections) the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the command at the cross-connect switch, switching out the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16).

Both the admitted prior art, Zitting and Dunn disclose the DSL and switch. Dunn recognizes receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system (the admitted prior art – Zitting) with the teaching of Dunn to switch out the connection of the data processing equipment of the first subscriber in order to

response to an indication that the first subscriber has terminated service. Therefore, the combined system would have been enable the obsolete subscriber line to be disconnected remotely.

6. In the claim 13, the admitted prior art (figure 1 is a block diagram of a prior art telecommunication system implementing xDSL service) discloses providing digital subscriber line service for a first subscriber (figure 1, 104) via a competitive local exchange carrier (figure 1, central office 106) test access switch 110 to a competitive local exchange carrier (figure 1, central office 106) digital subscriber line access multiplexer (figure 1, DSLAM 108) connected to a digital telecommunication network, the test access switch supplying a connection between data processing equipment of the first subscriber (figure 1, 104) and the digital subscriber line access multiplexer (figure 1, DSLAM 108) and collocation arrangement demarcation (figure 1, terminal block 111), the test-access switch (figure 1, 110) and the collocation arrangement demarcation (figure 1, 111) connected between the digital subscriber line access multiplexer (figure 1, DSLAM 108) and a central office main distributing frame.

However, the admitted prior art is silent to disclosing the test-access switches is cross-connect capability.

Zitting et al. discloses the system and method of the present invention also provide protection switching by cross-connecting communication lines from their existing connection with a DSL access multiplexer (DSLAM) in the central office to an alternative connection with the DSLAM. For instance, if a DSL modem card in the DSLAM fails, the present invention is capable of switching the existing connections with the failed modem

card to an alternative modem card. The cross-connect capability also provides a method of changing the type of DSL service provided to a customer (see col. 2, lines 23-30); comprising:

See figure 1, figure 4, providing digital subscriber line server for a first subscriber (see figure 1, customer promises 30) via a CLEC any-to-any cross-connect switch (see figure 1, loop management 26) connected to a CLEC (see col. 1, line 45, CLECs) digital subscriber line access multiplexer (see figure 1, DSLAM 28) connected to digital telecommunication network, the cross connect switch (see figure 1, loop management 26) supply a connection between data processing equipment of the first subscriber (customer promises 30) and the digital subscriber line access multiplexer (see figure 1, DSLAM 28) (see col. 9, lines 1-9, lines 44-50);

In response to receiving the indication at the network management system (see figure 1, loop management device 26), transmitting a command (the start test signal) to the cross connect switch (see figure 1, loop management device 26) to switch out the connection of the data processing equipment of first subscriber (customer promises 30) to the digital multiplexer (see col. 9, lines 1-9, lines 44-50); and

In response to receiving the command (see col. 9, lines 1-9, the start test signal) at the cross-connect switch (see figure 1, loop management device 26) , switching out the connection of the data processing equipment of first subscriber (see figure 1, customer promises 30) to the digital access multiplexer (see col. 9, lines 1-9, lines 44-50).

Both the admitted prior art and Zitting are disclose digital subscriber line access multiplexer. Zitting recognizes the cross-connect switch between the digital subscriber

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line access multiplexer and a central office main distributing frame. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the admitted prior art with the teaching of Zitting to provide the cross-connect switch capability between the digital subscriber line access multiplexer and a central main distributing frame in order to avoid DSL service outages or degradation.

However, the combined system (the admitted prior art – Zitting) are silent to disclosing receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service.

Dunn et al. discloses in response to a request from an operation support system to the controller 10 (network management system), the auxiliary ECMDF establishes a connection between a specified subscriber and specified input to the SLCRT 31; comprising:

receiving at a network management system (see figure 1, controller 10) connected to the cross connect switch (see figure 1, AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5), an indication that the first subscriber has terminated service (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the indication at the network management system (controller 10), transmitting a command to the cross connect switch (see figure 1, AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5) to switch out (to add or remove connections) the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the command at the cross-connect switch, switching out the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16).

Both the admitted prior art, Zitting and Dunn disclose the DSL and switch. Dunn recognizes receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system (the admitted prior art – Zitting) with the teaching of Dunn to switch out the connection of the data processing equipment of the first subscriber in order to response to an indication that the first subscriber has terminated service. Therefore, the combined system would have been enable the obsolete subscriber line to be disconnected remotely.

7. In the claim 25, the admitted prior art (figure 1 is a block diagram of a prior art telecommunication system implementing xDSL service) discloses providing digital subscriber line service for a first subscriber (figure 1, 104) via a competitive local exchange carrier (figure 1, central office 106) test access switch 110 to a competitive local exchange carrier (figure 1, central office 106) digital subscriber line access multiplexer (figure 1, DSLAM 108) connected to a digital telecommunication network, the test access switch supplying a connection between data processing equipment of the first subscriber (figure 1, 104) and the digital subscriber line access multiplexer (figure 1, DSLAM 108) and collocation arrangement demarcation (figure 1, terminal block 111), the test-access switch (figure 1, 110) and the collocation arrangement

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demarcation (figure 1, 111) connected between the digital subscriber line access multiplexer (figure 1, DSLAM 108) and a central office main distributing frame.

However, the admitted prior art is silent to disclosing the test-access switches is cross-connect capability.

Zitting et al. discloses the system and method of the present invention also provide protection switching by cross-connecting communication lines from their existing connection with a DSL access multiplexer (DSLAM) in the central office to an alternative connection with the DSLAM. For instance, if a DSL modem card in the DSLAM fails, the present invention is capable of switching the existing connections with the failed modem card to an alternative modem card. The cross-connect capability also provides a method of changing the type of DSL service provided to a customer (see col. 2, lines 23-30); comprising:

See figure 1, figure 4, providing digital subscriber line server for a first subscriber (see figure 1, customer premises 30) via a CLEC any-to-any cross-connect switch (see figure 1, loop management 26) connected to a CLEC (see col. 1, line 45, CLECs) digital subscriber line access multiplexer (see figure 1, DSLAM 28) connected to digital telecommunication network, the cross connect switch (see figure 1, loop management 26) supply a connection between data processing equipment of the first subscriber (customer premises 30) and the digital subscriber line access multiplexer (see figure 1, DSLAM 28) (see col. 9, lines 1-9, lines 44-50);

In response to receiving the indication at the network management system (see figure 1, loop management device 26), transmitting a command (the start test signal) to the

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cross connect switch (see figure 1, loop management device 26) to switch out the connection of the data processing equipment of first subscriber (customer premises 30) to the digital multiplexer (see col. 9, lines 1-9, lines 44-50); and

In response to receiving the command (see col. 9, lines 1-9, the start test signal) at the cross-connect switch (see figure 1, loop management device 26) , switching out the connection of the data processing equipment of first subscriber (see figure 1, customer premises 30) to the digital access multiplexer (see col. 9, lines 1-9, lines 44-50).

Both the admitted prior art and Zitting are disclose digital subscriber line access multiplexer. Zitting recognizes the cross-connect switch between the digital subscriber line access multiplexer and a central office main distributing frame. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the admitted prior art with the teaching of Zitting to provide the cross-connect switch capability between the digital subscriber line access multiplexer and a central main distributing frame in order to avoid DSL service outages or degradation.

However, the combined system (the admitted prior art – Zitting) are silent to disclosing receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service.

Dunn et al. discloses in response to a request from an operation support system to the controller 10 (network management system), the auxiliary ECMDF establishes a connection between a specified subscriber and specified input to the SLCRT.31; comprising:

receiving at a network management system (see figure 1, controller 10) connected to the cross connect switch (see figure 1, AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5), an indication that the first subscriber has terminated service (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the indication at the network management system (controller 10), transmitting a command to the cross connect switch (see figure 1, AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5) to switch out (to add or remove connections) the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the command at the cross-connect switch, switching out the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16).

Both the admitted prior art, Zitting and Dunn disclose the DSL and switch. Dunn recognizes receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system (the admitted prior art – Zitting) with the teaching of Dunn to switch out the connection of the data processing equipment of the first subscriber in order to response to an indication that the first subscriber has terminated service. Therefore, the combined system would have been enable the obsolete subscriber line to be disconnected remotely.

8. In the claims 2, 14, 26, the admitted prior art (figure 1 is a block diagram of a prior art telecommunication system implementing xDSL service) discloses the connection between data processing equipment of the first subscriber (figure 1, 104) and the digital subscriber line access multiplexer (DSLAM 108) comprises a central office main distributing frame (figure 1, 106) connected to the data processing equipment of the first subscriber (figure 1, 104), a collocation arrangement demarcation (figure 1, 111) connected to the test-access switches 110 and a patch line connecting the central office main distributing frame to the collocation arrangement demarcation.

However, the admitted prior art (figure 1 is a block diagram of a prior art telecommunication system implementing xDSL service) is silent to disclosing the test-access switch is cross-connect capability.

Zitting et al. discloses the system and method of the present invention also provide protection switching by cross-connecting communication lines from their existing connection with a DSL access multiplexer (DSLAM) in the central office to an alternative connection with the DSLAM. For instance, if a DSL modem card in the DSLAM fails, the present invention is capable of switching the existing connections with the failed modem card to an alternative modem card. The cross-connect capability also provides a method of changing the type of DSL service provided to a customer (see col. 2, lines 23-30).

Both the admitted prior art and Zitting are disclose digital subscriber line access multiplexer. Zitting recognizes the cross-connect switch between the digital subscriber line access multiplexer and a central office main distributing frame. Thus, it would have

been obvious to one of ordinary skill in the art at the time of the invention to modify the admitted prior art with the teaching of Zitting to provide the cross-connect switch capability between the digital subscriber line access multiplexer and a central main distributing frame in order to avoid DSL service outages or degradation.

9. In the claims 3, 15, 27, the admitted prior art discloses the connection between the data processing equipment of the first subscriber (figure 1, 104) and the central office main distributing frame (figure 1, 106) is unshared (figure 1, local loop unshared).

10. In the claims 4, 16, 28, the admitted prior art discloses the cross-connect switch is connected to a port of the digital subscriber line access multiplexer (DSLAM) (see figure 1).

11. In the claims 5, 17, 29, Dunn et al. discloses the step of switching out the connection of the data processing equipment of first subscriber to the digital access multiplexer frees up the port of the digital subscriber line access multiplexer (see figure 1, col. 3, lines 50-56, lines 9-15).

12. In the claims 6, 18, 30, Dunn et al. discloses receiving, at a network management system connected to the cross connect switch, an indication that a second subscriber has initiated service; in response to receiving the indication at the network management system, transmitting a command to the cross connect switch to connect data processing equipment of second subscriber to the digital access multiplexer; and in response to receiving the command at the cross-connected switch, connecting the data processing

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equipment of the second subscriber to the digital access multiplexer (see figure 1, col. 3, lines 50-56).

13. In the claims 7, 19, 31, Dunn et al. discloses the cross-connect switch is connected to a port of the digital subscriber line access multiplexer and the step of switching out the connection of the data processing equipment of the first subscriber to the digital access multiplexer frees up the port of the digital subscriber line access multiplexer (see figure 1, col. 3, lines 50-56).

14. In the claims 8, 20, 32, Dunn et al. discloses connecting the data processing equipment of the second subscriber to the port of the digital subscriber line access multiplexer that was freed up by the step of switching out the connection of the data processing equipment of first subscriber to the digital access multiplexer (see figure 1, col. 3, lines 50-56).

15. In the claims 9, 21, 33, Dunn et al. discloses the connection between data processing equipment of the first subscriber and the digital subscriber line access multiplexer comprises a central office MDF connected to the data processing equipment of the second subscriber, a collocation arrangement demarcation connected to the cross-connect switch and a path line connecting the central office MDF to the collocation arrangement demarcation (see figure 1, col. 3, lines 50-56).

16. In the claims 10, 22, 34, the admitted prior art (figure 1 is a block diagram of a prior art telecommunication system implementing xDSL service) discloses the connection between the data processing equipment of the first subscriber (figure 1, 104

and the central office main distributing frame (figure 1, 106) is unshared (see figure 1, local loop unshared).

17. In the claims 11, 23, 35, the admitted prior art discloses the connection between data processing equipment of the first subscriber (figure 1, 104) and the digital subscriber line access multiplexer (figure 1, 108) comprises a central office main distributing frame (figure 1, 106) connected to the data processing equipment of the first subscriber (figure 1, 104), a collocation arrangement demarcation (figure 1, 111) connected to the test-access switch and a path line connecting the central office main distributing frame (figure 1, 106) to the collocation arrangement demarcation (see figure 1, 111).

However, the admitted prior art is silent to disclosing the connection between data processing equipment of the second subscriber and the digital subscriber line access multiplexer; the test-access switch is cross-connect capability.

Zitting et al. discloses the system and method of the present invention also provide protection switching by cross-connecting communication lines from their existing connection with a DSL access multiplexer (DSLAM) in the central office to an alternative connection with the DSLAM. For instance, if a DSL modem card in the DSLAM fails, the present invention is capable of switching the existing connections with the failed modem card to an alternative modem card. The cross-connect capability also provides a method of changing the type of DSL service provided to a customer (see col. 2, lines 23-30); the connection between data processing equipment of the second

subscriber and the digital subscriber line access multiplexer (see figure 1, cross-connecting communication lines 42).

Both the admitted prior art and Zitting are disclose digital subscriber line access multiplexer. Zitting recognizes the cross-connect switch between the digital subscriber line access multiplexer and a central office main distributing frame. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the admitted prior art with the teaching of Zitting to provide the cross-connect switch capability between the digital subscriber line access multiplexer and a central main distributing frame in order to avoid DSL service outages or degradation.

18. In the claims 12, 24, 36, the admitted prior art discloses the connection between the data processing equipment of the subscriber and the central office main distributing frame is unshared (see figure 1, 102).

However, the admitted prior art is silent to disclosing the connection between the data processing equipment of the second subscriber and the central office.

Zitting et al. discloses the connection between data processing equipment of the second subscriber and the digital subscriber line access multiplexer (see figure 1, cross-connecting communication lines 42).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the admitted prior art with the teaching of Zitting to provide the connection between data processing equipment of the second subscriber and the digital subscriber line access multiplexer in order to avoid DSL service outages or degradation.

19. In the claim 14, claim 14 is rejected the same reason of claim 2 above.

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20. In the claim 15, claim 15 is rejected the same reason of claim 3 above.
21. In the claim 16, claim 16 is rejected the same reason of claim 4 above.
22. In the claim 17, claim 17 is rejected the same reason of claim 5 above.
23. In the claim 18, claim 18 is rejected the same reason of claim 6 above.
24. In the claim 19, claim 19 is rejected the same reason of claim 7 above.
25. In the claim 20, claim 20 is rejected the same reason of claim 8 above.
26. In the claim 21, claim 21 is rejected the same reason of claim 9 above.
27. In the claim 22, claim 22 is rejected the same reason of claim 10 above.
28. In the claim 23, claim 23 is rejected the same reason of claim 11 above.
29. In the claim 24, claim 24 is rejected the same reason of claim 12 above.
30. In the claim 26, claim 26 is rejected the same reason of claim 2 above.
31. In the claim 27, claim 27 is rejected the same reason of claim 3 above.
32. In the claim 28, claim 28 is rejected the same reason of claim 4 above.
33. In the claim 29, claim 29 is rejected the same reason of claim 5 above.
34. In the claim 30, claim 30 is rejected the same reason of claim 6 above.
35. In the claim 31, claim 31 is rejected the same reason of claim 7 above.
36. In the claim 32, claim 32 is rejected the same reason of claim 8 above.
37. In the claim 33, claim 33 is rejected the same reason of claim 9 above.
38. In the claim 34, claim 34 is rejected the same reason of claim 10 above.
39. In the claim 35, claim 35 is rejected the same reason of claim 11 above.
40. In the claim 36, claim 36 is rejected the same reason of claim 12 above.

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41. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,347,075 B1; 6,868,060 B2; 6836,509 B1.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/31/06



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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600